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Attorneys for Defendants
Scene 7, Inc. Long Term Disability Plan
and
Prudential Insurance Company of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Dawn Rutherford,

Plaintiff,

vs.

Scene 7, Inc. Long Term Disability Plan,
Prudential Insurance Company of America,

Defendants.

) Case No. C 07-6426 WHA

) **SUPPLEMENTAL JOINT CASE**
) **MANAGEMENT STATEMENT**

) **Case Management**

) **Conference:** August 7, 2008

) **Time:** 11:00 a.m.

) **Courtroom:** 9, 19th Floor

)
Hon. William H. Alsup

The parties hereto, pursuant to the court's Case Management Order in Denial-of-Benefits Action Under ERISA (April 10, 2008) (Doc. no. 10) submit this Supplemental Joint Case Management Conference Statement.

1 In its Second Case Management Order (July 21, 2008) (Doc. no. 25), the court has
2 already addressed matters such as discovery cutoff, pretrial conference date and trial date.

3 As the parties indicated in their Stipulation and Joint Request for Referral to Mediation
4 and Vacating of Case Management Conference (July 29, 2008) (Doc. no. 26), the remaining
5 loose end is alternative dispute resolution. In that connection, should it please the court, the
6 parties wish to be referred for court-sponsored mediation through the auspices of the court's
7 Alternative Dispute Resolution office. The parties also request that assignment to a mediator
8 be expedited so that mediation may proceed in a timely manner and before the devotion of
9 significant party and court resources to trial preparation becomes unavoidable.

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12 Dated: July 31, 2008

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14 /s/
Richard Johnston
Attorney for Plaintiff
Dawn Rutherford

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18 Gordon & Rees LLP

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20 /s/
By: Ronald K. Alberts
Attorneys for Defendants
Scene 7, Inc. Long Term Disability Plan
and
21 Prudential Insurance Company of America
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